

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DANIELLE JANICE HEARD,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JOWIA HEARD,

Respondent-Appellant,

and

DAVID SANDER,

Respondent.

UNPUBLISHED

August 17, 2004

No. 252931

Wayne Circuit Court

Family Division

LC No. 02-409660

Before: Hoekstra, P.J., and Cooper and Kelly, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the circuit court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The circuit court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent-appellant failed to rectify the conditions that led to adjudication, having failed to benefit from parenting classes, repeatedly truanting from service programs, and failing to obtain and maintain stable and suitable housing. Her actions demonstrated that she would not be able provide proper care and custody for her child within a reasonable time, considering the age of her child. In addition, there was a reasonable likelihood that, because of respondent-appellant's conduct and her capacity, the child would suffer harm if returned to her care.

Furthermore, the evidence failed to show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462

Mich 341, 364-365; 612 NW2d 407 (2000). Therefore, the circuit court did not err in terminating respondent-appellant's parental rights to the minor child.

Affirmed.

/s/ Joel P. Hoekstra
/s/ Jessica R. Cooper
/s/ Kirsten Frank Kelly